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PATENT
Customer No. 22,852
Attorney Docket No. 04853-0111

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	
NOMURA et al.	Group Art Unit: 1614
Application No.: 10/765,048	Examiner: Not Yet Assigned
Filed: January 28, 2004	
	Confirmation No.: 9606
For: APOPTOSIS INDUCER AND METHOD OF SCREENING FOR A SUBSTANCE INHIBITING ACYLATED HOMOSERINE LACTONE	

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

SECOND INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed, to the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Japanese patent publication No. 2002-514092 is not in English. WO 98/508075 is a PCT equivalent of this Japanese publication and is also submitted herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 18, 2004

By: Jean Burke Fordis
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OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	04855-0111-00000	Appln. No.	10/765,048
Applicant	NOMURA et al.		
Filing Date	January 28, 2004	Group:	1614

U.S. PATENT DOCUMENTS

Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
		JP 2002-514092 A	May 14, 2002	Japan	C12N	1/20	No
		WO 98/58075 A2	Dec. 23, 1998	PCT	C12Q		

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	CARSON et al., "Apoptosis and Disease," The Lancet, Vol. 341, pp. 1251-54 (1993)
	ELLIS et al., "Mechanisms and Functions of Cell Death," *Annu. Rev. Cell Biol.*, Vol. 7, pp. 663-98 (1991)
	KERR et al., "Apoptosis: A Basic Biological Phenomenon with Wide-Ranging Implications in Tissue Kinetics," *Br. J. Cancer*, Vol. 26, pp. 239-257 (1972)
	SAUNDERS, J., "Death in Embryonic Systems," *Science*, Vol. 154, pp. 604-612 (1966)
	SMITH et al., "IL-8 Production in Human Lung Fibroblasts and Epithelial Cells Activated by the *Pesudomonas* Autoinducer N-3-Oxododecanoyl Homoserine Lactone Is Transcriptionally Regulated by NF-*k*B and Activator Protein-2," *The Journal of Immunology*, Vol. 167, pp. 366-74 (2001)
	TELFORD et al., "The *Pseudomonas aeruginosa* Quorum-Sensing Signal Molecule N-(3-Oxododecanoyl)-L-Homoserine Lactone Has Immunomodulatory Activity," *Infection and Immunity*, Vol. 66, No. 1, pp. 36-42 (1998)
	WHITELEY et al., "Identification of genes controlled by quorum sensing in *Pseudomonas aeruginosa*," *PNAS*, Vol. 96, No. 24, pp. 13904-09 (1999)
	WYLLIE et al., "Adrenocortical Cell Deletion: the Role of ACTH," *J. Pathol.*, Vol. 111, pp. 85-94 (1973)

Examiner	Date Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO 1449 — Patent and Trademark Office - U.S. Department of Commerce